

BOARD OF ZONING APPEALS  
MINUTES  
December 29, 2009

The regular meeting of the Board of Zoning Appeals of the City of Wichita, Kansas was held at 1:30 p.m., on December 29, 2009, in the MAPC Conference Room, Tenth Floor of City Hall, 455 N. Main, Wichita, and Kansas.

The following board members were in attendance:

BICKLEY FOSTER, DWIGHT GREENLEE, JOSHUA BLICK, AND STEVE ANTHIMIDES

Board members absent:

CHARLES YOUNG

JOHN MARKER

City of Wichita staff present:

JEFF VANZANDT– Law Department

JR COX – Office of Central Inspection

City of Wichita staff absent:

The following Planning Department staff members were present:

JESS MCNEELY, Secretary.

YOLANDA ANDERSON, Recording Secretary

GREENLEE    Called meeting to order at 1:36pm.    Let's approved minutes for 9.9.09 special meeting, all in favor say aye?

**Motion 4-0 carries unanimously**

MCNEELY    We have sent out minutes for 8.25.09 on which we had no quorum. Can you please approved those minutes as it explains how we came upon the special meeting date of 9.9.09?

ANTHIMIDES I move to approve 8.25.09 minutes.

FOSTER    Seconded.

GREENLEE    All in favor aye?

**Motion 4-0 carries unanimously**

MCNEELY    The applicant for BZA2009-57 has not arrived. I am asking that we move item 3 into item 2 place to approved the 2010 draft calendar?

ANTHIMIDES Motioned

BLICK           Seconded

GREENLEE    All in favor say aye?

**MOTION 4-0 carries unanimously**

GREENLEE    Jess, are we ready to present BZA2009-57 a City Sign Code variance request to exceed the 400-square foot sign limitation in CBD zoning with a 1200 –square foot sign?

MCNEELY     We can go ahead and hear the case without the applicant.

FOSTER       Should we hear the case without the applicant? For one, I have questions for the applicant.

MCNEELY     It is a public hearing and this case has been published to be heard today; and we do not have anyone from the public here to address this case.

FOSTER       I think the applicant should be here for this case to be heard. I do not think it is fair for Jess to answer questions on behalf of the applicant. I recommend that this case be deferred.

FOSTER       Mr. Chairman, I would move that in view of the fact that the applicant is not here and would not have an opportunity to hear the staff presentation, nor the questions that might be asked, nor would we have an opportunity to ask the applicant questions regarding this case; I would move that it be deferred to the next hearing date in February.

ANTHIMIDES Seconded.

GREENLEE    It's been moved and seconded to defer this case until February.

VANZANDT    Point of clarification, you said next hearing date in February? The next meeting is in January.

GREENLEE    It will be on January 26, 2010 to be exact.

FOSTER       Sorry, I meant January.

**Motion 4-0 carries unanimously**

GREENLEE    I would like to say there is a thing call a telephone. There was a country and western song about it. If he got stuck in the snow he should call us.

FOSTER       Is there anything else scheduled for next month?

MCNEELY     This will be the only case for next month.

FOSTER I know we are all disappointed in not to be able to hear from JR Cox.

BLICK I have a question for JR. I was over by Harry and Hillside or George Washington Blvd, it was called "One day Jewelry Store" right on the side of this small building is a LED board sign. When this sign is changing lights, it distracts from the traffic lights. Is it within code?

COX The old Dog N Shake building. Yes, it is within code. It would be legal. It may be a traffic problem; I will have to check into it. But it is legal.

GREENLEE I will adjourn the hearing.

AJOURMENT 1:51pm